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NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CATHY A. CATTERSON
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,)	No. 02-50633
)	
Plaintiff-Appellee,)	D.C. No. CR-02-00056-GLT
)	
v.)	MEMORANDUM*
)	
ALBERTO ALVAREZ-GONZALEZ,)	
)	
Defendant-Appellant.)	
_____)	

Appeal from the United States District Court
for the Central District of California
Gary L. Taylor, District Judge, Presiding

Submitted November 6, 2003**
Pasadena, California

Before: PREGERSON, FERNANDEZ, and BERZON, Circuit Judges.

Alberto Alvarez-Gonzalez appeals the sentence imposed upon him after he
pled guilty to being an illegal alien who was found in the United States following
deportation. See 8 U.S.C. § 1326(a). We affirm.

* This disposition is not appropriate for publication and may not be cited to or
by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously finds this case suitable for decision without oral
argument. Fed. R. App. P. 34(a)(2).

Alvarez's sentence was based on the determination that he had committed a crime of violence prior to his deportation. See USSG §2L1.2.¹ He argues that his state court conviction for committing a lewd and lascivious act upon a minor² was not sexual abuse of a minor within the meaning of the Guideline.³ He is wrong. See United States v. Pereira-Salmeron, 337 F.3d 1148, 1154-55 (9th Cir. 2003); United States v. Baron-Medina, 187 F.3d 1144, 1147 (9th Cir. 1999). He also argues that sexual abuse of a minor is not necessarily a crime of violence, anyway. Again, he is wrong. See Pereira-Salmeron, 337 F.3d at 1151-52.

AFFIRMED.

¹ All references to the Sentencing Guidelines are to the November 1, 2002, version.

² Cal. Penal Code § 288(a).

³ USSG §2L1.2, comment. (n.1(B)(ii)(II)).